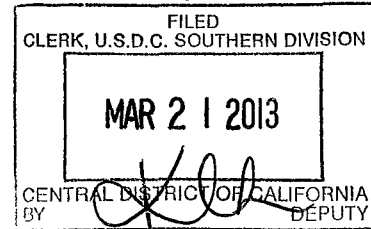


I HEREBY CERTIFY THAT THIS DOCUMENT WAS SERVED BY
FIRST CLASS MAIL, POSTAGE PREPAID, TO ALL COUNSEL
(OR PARTIES) AT THEIR RESPECTIVE MOST RECENT ADDRESS OF
RECORD IN THIS ACTION ON THIS DATE.

DATED: 3-21-13

DEPUTY CLERK [Signature]



UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MARTIN CASTILLO,

Petitioner,

vs.

DAVID LONG, Warden,

Respondent.

Case No. CV 12-04318-VBF (RNB)

ORDER ACCEPTING FINDINGS AND
RECOMMENDATIONS OF UNITED
STATES MAGISTRATE JUDGE, AND
DENYING PETITIONER'S PENDING
APPLICATIONS

On January 9, 2013, the assigned Magistrate Judge issued a Report and Recommendation in which he recommended the denial of the Petition for Writ of Habeas Corpus by a Person in State Custody filed by petitioner herein on May 18, 2012 and the dismissal of this action with prejudice. The Magistrate Judge also recommended the denial of petitioner's request for an evidentiary hearing.

On January 28, 2013, petitioner filed objections to the Report and Recommendation. He then filed a document on February 4, 2013 captioned "Supplement to Objections to Magistrate's Report and Recommendation." Concurrently, he filed an "Application for Leave to Conduct Discovery," an "Application for Order to Compel Production of Documents" (attached to which was "Petitioner's First Request for Admissions" directed to the prosecutor in his case), an "Application for Authority to Issue Subpoenas," and an "Application for Stay and

1 Abeyance” (which sought a stay of the action to enable petitioner to conduct
2 discovery). Most recently, on March 12, 2013, petitioner filed a document captioned
3 “Application to Permit Expansion of Record Pursuant to § 2254 [Rule 7].”

4 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the records
5 on file herein, the Report and Recommendation, and petitioner’s objections and
6 supplemental objections thereto. The Court also has reviewed and considered
7 petitioner’s various pending applications. Having made a de novo determination of
8 those portions of the Report and Recommendation to which objections have been
9 made, the Court accepts the findings and recommendations of the Magistrate Judge.
10 Further, the Court finds that petitioner is not entitled to any of the relief sought in any
11 of his pending applications. See Cullen v. Pinholster, - U.S. -, 131 S. Ct. 1388, 1398,
12 179 L. Ed. 2d 557 (2011) (holding that review of state court decisions under 28
13 U.S.C. § 2254(d)(1) “is limited to the record that was before the state court that
14 adjudicated the claim on the merits”).

15 IT THEREFORE IS ORDERED (1) that petitioner’s request for an evidentiary
16 hearing is denied; (2) that petitioner’s “Application for Leave to Conduct Discovery”
17 is denied; (3) that petitioner’s “Application for Order to Compel Production of
18 Documents” is denied; (4) that petitioner’s “Application for Authority to Issue
19 Subpoenas” is denied; (5) that petitioner’s “Application for Stay and Abeyance” is
20 denied; (6) that petitioner’s “Application to Permit Expansion of Record Pursuant to
21 § 2254 [Rule 7]” is denied; and (7) that Judgment be entered denying the Petition and
22 dismissing this action with prejudice.

23
24 DATED: 3/18/2013

25
26 
27 VALERIE BAKER FAIRBANK
28 UNITED STATES DISTRICT JUDGE